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Security Council

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Report of the Security Council mission to the Great Lakes region, 27 April-7 May 2002

I. Introduction

1. In his letter dated 17 April 2002 (S/2002/430), the President of the Security Council informed the Secretary-General that the members of the Council had decided to send a mission to the Great Lakes region of Africa. Following consultations among the members, it was agreed that the composition of the mission should be as follows:

France (Ambassador Jean-David Levitte, head of mission)

Bulgaria (Ambassador Stefan Tafrov)

Cameroon (Ambassador Martin Chungong Ayafor)

China (Minister Counsellor Chen Xu)

Colombia (Ambassador Alfonso Valdivieso)

Guinea (Ambassador François Fall)

Ireland (Ambassador Gerard Corr)

Mauritius (Ambassador Jagdish Koonjul)

Mexico (Ambassador Adolfo Aguilar Zinser)

Norway (Ambassador Wegger Christian Strømmen)

Russian Federation (Ambassador Andrey Granovsky)

Singapore (Counsellor Lip Cheng How)

Syrian Arab Republic (Ambassador Mikhail Wehbe)

United Kingdom of Great Britain and Northern Ireland (Ambassador Jeremy Greenstock)

United States of America (Ambassador Richard W. Williamson).

2. The terms of reference of the Security Council mission are annexed to document S/2002/430.

3. The Security Council mission left New York on 27 April and returned on 7 May. During that period, the mission visited Johannesburg, Pretoria, Harare, Kinshasa, Kisangani, Luanda, Kampala, Dar es Salaam, Bujumbura and Kigali. They met with the President of South Africa, Thabo Mbeki; the President of Zimbabwe, Robert Mugabe; the President of the Democratic Republic of the Congo, Joseph Kabila; the President of Angola, José Eduardo dos Santos; the President of Uganda, Yoweri Kaguta Museveni; the President of the United Republic of Tanzania, Benjamin Mkapa; the President of Burundi, Pierre Buyoya; and the President of Rwanda, Paul Kagame. The mission also met in Pretoria with the Deputy President of South Africa, Jacob Zuma; the Minister for Foreign Affairs of Gabon, Jean Ping; the President of the Rassemblement congolais pour la démocratie (RCD-Goma), Adolphe Onusumba, and its Secretary-General, Azarias Ruberwa; and, in the presence of the facilitation, with Burundian rebel groups. In Luanda, the mission met with the Chairman of the Political Committee, the Minister for Foreign Affairs of Angola, Jõao Bernardo de Miranda, and held a joint meeting with the Political Committee; and in Kampala, met with the leader of the Mouvement de libération du Congo (MLC), Jean-Pierre Bemba. In Pretoria, the mission met with the Chairman and two members of the Panel of Experts on the Illegal Exploitation of

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Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo. In Bujumbura and Kigali, the mission met with senior ministers of the Governments of Burundi and Rwanda, and with the Implementation Monitoring Committee. The mission also met with representatives of civil society in Kinshasa and Kisangani, including participants from human rights and religious groups. The Security Council mission was accompanied from Kinshasa onwards by the Special Representative of the Secretary-General for the Democratic Republic of the Congo, Amos Namanga Ngongi, and the Force Commander of MONUC, General Mountaga Diallo.

II. Democratic Republic of the Congo

Positions adopted by the Security Council mission

4. This was the third mission of the Security Council to the Great Lakes region. The first, in May 2000, was conducted at a time when fighting was continuing in the Democratic Republic of the Congo, and there had been serious clashes between Rwandan and Ugandan troops in Kisangani. The objective of the mission at that time was to achieve a ceasefire among the parties. The second Security Council mission, in May 2001, coincided with the onset of phase II of the deployment of MONUC, the disengagement of forces along the confrontation line. This third Security Council mission was carried out immediately after the inter-Congolese dialogue in Sun City, and as MONUC was preparing itself to enter the next stage of its phase III deployment in the eastern Democratic Republic of the Congo.

5. With each of its interlocutors, the head of the mission introduced the members of the mission and set out its objectives, in accordance with the terms of reference. Individual members then made comments or put questions.

6. The mission also made the point that considerable thought had been given to postponing the dispatch of the mission at a time when the situation in many areas of the world greatly preoccupied the Security Council. The Council had however decided to demonstrate its commitment to the peace processes in the Great Lakes region by dispatching the mission as scheduled.

7. During the course of the visit, the Security Council mission developed its view of the conflict in the Democratic Republic of the Congo and communicated it to its various interlocutors. According to this approach, there were three main aspects to the conflict, all mutually interlinked, which had to be taken forward in parallel, namely, the outcome of the inter-Congolese dialogue, the withdrawal of foreign forces from the territory of the Democratic Republic of the Congo, and the disarmament, demobilization and repatriation of the armed groups listed in the Lusaka Ceasefire Agreement. While the Security Council had no direct substantive responsibility for the conduct of the inter-Congolese dialogue, a task that had been entrusted to the neutral facilitator, Sir Ketumile Masire, the Council was indeed concerned with the outcome of the dialogue and its relationship with the other two aspects.

8. The mission stressed the importance of what had been achieved in Sun City, primarily the unanimous adoption of 37 resolutions, which would serve as the basis for the transitional authority. Since no comprehensive agreement was reached, however, the Security Council mission also underlined the need for further talks among the Congolese parties in order to develop a fully inclusive agreement on the transition.

9. The mission also put forward an idea to facilitate the withdrawal of foreign forces that was developed during the course of the visit on the basis of the favourable response received from the mission's interlocutors. The idea was for the creation of a "curtain" of troops along the eastern borders of the Democratic Republic of the Congo, subject to the invitation of the Government of the Democratic Republic of the Congo. This might involve the parties concerned, namely, the Democratic Republic of the Congo on the one hand and Rwanda, Uganda and Burundi on the other hand, to work out mechanisms for military cooperation along their common borders so as to have the military presence of the countries concerned in a limited portion of the territory of the Democratic Republic of the Congo, for a limited period, in order to ensure a better monitoring of the borders, as a stage in the implementation of the Lusaka Agreement. Other African Governments might be invited to contribute troops to this mechanism, and MONUC could also be requested to offer advice and a monitoring presence. This might involve, at their request, the parties concerned.

10. The Security Council mission reiterated the strong position of the Security Council that the city of

Kisangani sh uld be demilitarized immediately and without conditions. The mission called on RCD to withdraw its forces, and called on all those with influence over RCD to ensure that the Security Council's resolutions were put into effect without further delay.

11. Members of the Security Council mission expressed to their various interlocutors their deep concern over the serious violations of human rights and the appalling humanitarian situation of much of the population in the Democratic Republic of the Congo as a result of the conflict. The mission was also aware of the great importance of reviving the economy of the Great Lakes region, not least by promoting the development of the natural resources of the Democratic Republic of the Congo in the interests of its people, and the reopening of the River Congo to commercial traffic, as agreed by the three Congolese parties when they signed an agreement on the modalities of resuming commercial river traffic.

12. The Security Council mission proposed that new impetus be given to the consideration of an international conference on peace, security and development in the Great Lakes region that could be convened at an appropriate time.

13. The Security Council mission made clear its position that the Council would severely condemn any party that violated the ceasefire in the Democratic Republic of the Congo.

Summary of the achievements and conclusions of the Security Council mission

14. The Security Council mission found that the parties to the Lusaka Agreement, with the help of MONUC, continue to make progress, albeit slowly, in the application of the peace process, which requires patient and attentive follow-up. In its meetings with the parties, the mission was able to propose various actions to be taken in order to advance the process further.

15. The Council mission met Sir Ketumile Masire, the neutral facilitator of the inter-Congolese dialogue, and commended him for his efforts at Sun City and the results obtained there. At the same time, the Security Council mission was gratified to note that all its interlocutors agreed that negotiations should continue among the Congolese parties with a view to reaching a more comprehensive and inclusive agreement. This would facilitate the reunification of the country and the preservation of the principle of its sovereignty and territorial integrity. A transitional authority could pave the way for the organization and conduct of free and fair democratic elections. The Security Council mission noted with satisfaction that, at its suggestion, representatives of the Government of the Democratic Republic of the Congo, MLC and RCD-Goma met on the margins of the Political Committee meeting in Luanda on 2 May to initiate the further discussions required in order to bring about this objective.

16. The Security Council mission notes that some progress has been made in the withdrawal of foreign forces from the territory of the Democratic Republic of the Congo. It must also be noted, however, that, of all the original belligerents, only Namibia has withdrawn all its combat troops from the territory. The withdrawals of contingents by Angola, Uganda and Zimbabwe are partial, and need to be finally verified. Reported withdrawals by Rwanda have been verified neither by MONUC nor by the Joint Military Commission.

17. The mission welcomes the broadly positive response among the Lusaka signatory parties to the idea it proposed of the establishment of a "curtain" of forces along the borders of the Democratic Republic of the Congo with Uganda, Rwanda and Burundi. These forces, from the three neighbouring countries concerned, might be deployed, with the agreement of the Government of the Democratic Republic of the Congo, as a stage in their continuing withdrawal from that country's territory, as an interim border security measure, in coordination with the deployment of Congolese troops, and accompanied by MONUC military observers. The joint force would be deployed for a specified period of time, in a limited and defined area. Other African Governments might also be invited to contribute troops.

18. The Security Council mission commends MONUC for the progress achieved so far in the disarmament, demobilization and repatriation of the Rwandan combatants at Kamina. The destruction by fire of more than 1,000 weapons surrendered by those combatants was the culmination of several months of effort to gain the confidence of those combatants. The Security Council mission would like to express its appreciation to President Kabila and his Government for the cooperation they extended to MONUC in the execution of this exercise. The mission further takes note of the agreement in principle by the Government

of Rwanda to accept a delegation representing the Kamina combatants, and trusts that this important confidence-building measure can be accomplished at an early date. The Security Council mission further notes the expression by President Kagame of Rwanda's willingness and readiness to repatriate and reintegrate Rwandan fighters from the Democratic Republic of the Congo.

19. During its meeting with representatives of civil society in Kisangani, as well as in the unscheduled informal encounters with local residents that followed, the Security Council mission was struck by the strong desire of the local population for peace and a unified Democratic Republic of the Congo, and a prompt and complete demilitarization of Kisangani, in accordance with the agreement reached by President Kagame and President Museveni in May 2000, and with Security Council resolutions. The mission was also impressed by the strong desire of the civil society representatives to see the achievement of a comprehensive agreement on a transitional authority in which civil society representatives would participate. The Security Council mission takes note of the solemn reiteration by the RCD leadership before the Ministers of the Political Committee and the Ambassadors of the Security Council of their "irrevocable" commitment to demilitarizing Kisangani, and calls on them to proceed to take the necessary steps without further delay. The mission also welcomes the plans being prepared by MONUC to train the Kisangani police force.

20. In its meetings with representatives of civil society in Kinshasa and Kisangani, the Security Council mission was struck again by the plight of millions of Congolese citizens living in harrowing conditions, without adequate food, fresh water or medical care, as well as the millions of persons displaced from their homes by insecurity and instability. Evidence presented by representatives of women's groups indicated how deeply the welfare and security of women and girls have been affected by the conflict. The establishment of a broad-based transitional authority governing the whole country will permit humanitarian aid organizations to gain access to populations in need in order to mitigate some of the worst effects of the conflict. The Security Council mission hopes that the progressive deployment of MONUC human rights and other civilian personnel, including civilian police, into the eastern Democratic Republic of the Congo will permit greater scrutiny of the situation there and encourage stricter compliance with and respect for human rights and fundamental freedoms. This process will be immeasurably advanced if it is conducted pursuant to an inclusive agreement on the establishment of an interim authority governing the territory of the Democratic Republic of the Congo in its entirety, and in the context of the rebuilding of united Congolese administration structures and the orderly withdrawal of foreign forces. The mission heard from President Kagame that Rwanda would wish to work closely with such a united administration on the demobilization of the armed groups, and that Rwanda's presence in the Democratic Republic of the Congo was related only to its legitimate security concerns.

21. The Security Council mission is encouraged by the signing by the Government of the Democratic Republic of the Congo, MLC and RCD of an agreement to reopen the River Congo to commercial traffic. The mission's visit to Kisangani, and the arrival at that time of a barge convoy accompanied by the MONUC riverine unit, underlined the importance of the river to the economic and social life of the country. The Security Council is committed to the early reopening of the River Congo to commercial traffic as an essential means of improving the economic and social life of millions of Congolese citizens; ending the isolation of the city of Kisangani; generating a climate of confidence and security in the eastern part of the Democratic Republic of the Congo; and normalizing the situation throughout the country.

22. The mission underlined to its interlocutors the importance that the Security Council attached to the question of the illegal exploitation of the natural resources of the Democratic Republic of the Congo, a question on which the representatives of the Government and representatives of Congolese civil society in Kinshasa and Kisangani had expressed their deep concern. The mission made it clear that the Council would follow up on the next report of the Panel of Experts to the Security Council.

Recommendations

23. The Security Council mission commends the Congolese parties for the willingness they expressed, both individually and at the meeting of the Political Committee in Luanda on 2 May, to continue their discussions with a view to establishing a transitional administration at an early date. The mission trusts that,

in accordance with the views expressed by its interlocutors, the Government of the Democratic Republic of the Congo, MLC and RCD-Goma will pursue their talks with a view to reaching a comprehensive and inclusive agreement in accordance with the Lusaka Ceasefire Agreement. Such an agreement might then be endorsed by the parties to the inter-Congolese dialogue, in the presence of the neutral facilitator, Sir Ketumile Masire. In this context, the mission recommends that the Security Council, within the next few days, should consider taking further initiatives on this matter in coordination with the signatories of the Lusaka Agreement and the leaders of the region.

24. The Security Council mission recommends that the Council may wish, following the establishment of a fully inclusive Congolese transitional authority, to consider, on the basis of recommendations to be submitted by the Secretary-General at an appropriate time, and taking into account the needs of the Congolese transitional authority, adding to the future mandate of MONUC elements concerning the organization and conduct of free and fair elections.

25. The Security Council mission recommends that the Security Council should renew its call for the orderly withdrawal of all foreign forces from the Democratic Republic of the Congo, in accordance with the Lusaka Agreement and the relevant Security Council resolutions. The mission further recommends that the Secretary-General, if requested by the parties, could instruct MONUC to facilitate the development and implementation of the "curtain" proposal as an interim measure aimed at ensuring border security in the final stages of withdrawal.

26. The progress made in resolving the situation of the combatants at Kamina represents a start for the disarmament, demobilization, repatriation, resettlement and reintegration (DDRRR) operation. The Security Council may wish to call for an early conclusion of the situation there, including the repatriation, resettlement and reinsertion into social and economic life of the 1,981 combatants and the members of their families, within the context of agreement between the Governments of the Democratic Republic of the Congo and Rwanda, with MONUC assistance.

27. The Security Council mission is however aware that DDRRR in the east will pose serious problems of security. Further progress in creating the necessary climate of confidence and security, which is essential to the success of the voluntary approach to DDRRR taken by MONUC, will require the deployment of a robust force at Kindu within the existing mandate of MONUC. The Security Council mission is aware of the need for a capable troop-contributing country to provide such a force, within the current authorized ceiling of 5,537 troops, and recommends that efforts be redoubled to identify such a country at the earliest possible time.

28. The Security Council mission recommends to the Security Council that it devote particular attention to the implementation of the MONUC mandate in the fields of human rights and humanitarian assistance to populations in need in the Democratic Republic of the Congo, taking fully into account the needs of women and girls. The progressive deployment of MONUC human rights and humanitarian personnel in the eastern part of the country, particularly if this is achieved alongside the establishment of State authority throughout the country following agreement on a fully inclusive transitional authority, should be expected to lead to improvements in this area.

29. The Security Council should consider supporting the efforts of MONUC to train the Kisangani police force and taking prompt action on the request of the Secretary-General, in his tenth report to the Security Council (S/2002/169), for 85 additional police officers for this purpose.

30. The Security Council mission takes the strong view that further progress in the peace process should take the form of economic dividends for the population. The delay in achieving this risks the credibility of the process and of the international community. Accordingly, all efforts should be made to ensure that humanitarian aid, as well as longer-term economic and development assistance, is provided to the Democratic Republic of the Congo as soon as possible in support of the peace process. Only thus can a sound basis be created for a more durable peace.

31. The Security Council mission was encouraged by the generally positive reception accorded to the proposal to convene, at an appropriate time, an international conference on security, development and peace in the Great Lakes region. The Security Council may wish to give further consideration to this idea, in conjunction with the Organization of African Unity and regional leaders.

32. Once the inter-Congolese dialogue develops positively and United Nations forces are deployed in Kindu, the peace process is poised to enter a new and more complex dynamic. The various aspects of this complex process, for which the parties bear ultimate responsibility, will need to be carefully coordinated. It would be very useful if the regional leaders, in coordination with the United Nations, could ensure the establishment of a follow-up mechanism. Such a mechanism might be entrusted with the following tasks:

- Coordinating the various aspects of the process, and ensuring the coherence of action taken by the international community.
- Accompanying the transition in the Democratic Republic of the Congo by pursuing the application of the results of the inter-Congolese dialogue throughout the territory of the country while promoting a harmonious cohabitation in Kinshasa; continuing political and economic development in the country and the preparation of free and fair elections.
- Facilitating the dialogue among regional heads of State concerning the development of phase III of MONUC deployment, DDRRR, establishment of a "curtain" for border security, and withdrawal of foreign forces.
- Preparing, subject to the continuing favourable development of the situation, an international conference on peace, security and development in the Great Lakes region.

III. Burundi

Summary of achievements and conclusions

33. Since the Security Council mission visited Burundi in May 2001, there have been a number of improvements in the country. Owing to the achievements of the facilitator, former President Mandela, and the efforts of the Burundians themselves, a transitional Government was installed on the basis of the Arusha Agreement on 1 November 2001. The States of the region, particularly the United Republic of Tanzania and the Democratic Republic of the Congo, have lent their full support to the implementation of the transition. Thanks to the facilitation of the Deputy President of South Africa, Jacob Zuma and the President of Gabon, Omar Bongo, a framework for dialogue has been created to facilitate contacts between the transitional Government and the non-signatory armed groups.

34. However, none of this progress is irreversible, and further efforts will be necessary to ensure the success of the peace process in Burundi to achieve the cessation of hostilities and a ceasefire, an improvement of the economic situation, and continued cooperation among Burundian parties.

35. The continuation of fighting is the most serious risk that faces the implementation of the Burundi peace process. The Security Council mission demanded that the rebel groups cease hostilities immediately and enter into negotiations with the support of the facilitation within the framework of the Arusha Agreement.

36. Of all the mission's interlocutors (the Burundian authorities and regional heads of State), the armed groups alone did not share the view that a sense of urgency was required in achieving a cessation of hostilities. It is the view of the Security Council mission that, without an urgent cessation of hostilities, followed by a ceasefire agreement, the peace process could be jeopardized. It is also the view of most of the heads of State of the region, some of whom expressed doubts concerning the willingness of the armed groups to enter into negotiations. Some considered the time might have come to contemplate more robust measures. If that were the case, the possibility of regional sanctions has been raised.

37. The success of the peace process in Burundi will be primarily the success of the Burundians themselves. Maintaining confidence and cooperation among the signatories of the Arusha Agreement is critical in this regard. The Security Council mission understood the determination of its interlocutors in Burundi to put the conflict behind them, and by their determination to accomplish those ends.

38. All the mission's interlocutors, both Burundian and non-Burundian, stressed the risk that the tremendous economic and financial difficulties currently facing the country might undermine the peace process.

39. The humanitarian situation in Burundi is disastrous. The mission expressed its support to the tripartite commission (Burundi, United Republic of

Tanzania, UNHCR) for the efforts it is making to assist the voluntary return of refugees as appropriate.

Recommendations

40. The Security Council mission recommends that, in the coming weeks, and before the next meeting of the regional peace initiative, dialogue with all regional players be intensified. The Council may also wish to encourage the States of the region to pursue their efforts to persuade the armed groups to agree to a cessation of hostilities and ceasefire agreement, and to extend full assistance to the facilitation in this regard.

41. The mission stresses the need for the implementation of reforms called for in the Arusha Agreement by the transitional Government and its institutions, with or without a ceasefire, to the full extent the military situation allows.

42. The international community has a role to play in assisting the Burundian parties to work together for the success of this process, and in monitoring the implementation of the Arusha reforms. The United Nations, in particular, has assumed such a role. In the view of the Security Council mission it is vital that that role be performed, especially through the presidency of the Implementation Monitoring Committee, with all the close attention to issues that the situation requires.

43. The support of the international community will be critical. It will in particular be essential for donors to fulfil the commitments they made at the Paris conference of December 2000 and the Geneva conference of December 2001. The mission will follow up with the international financial institutions on this point. There is a risk that the peace process, and all the gains made with it so far, might collapse if further assistance, including direct aid, is not forthcoming in the near future.

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44. The Security Council mission wishes to express its deep appreciation to the heads of State of the Great Lakes region and to Sir Ketumile Masire, who met with the mission to share their views. The mission is also very grateful to the Special Representative of the Secretary-General, Mr. Namanga Ngongi, and to the Acting Representative of the Secretary-General in Burundi, Amadou Keita, for the sound advice and impeccable arrangements they caused to be made for the mission's visits to the Democratic Republic of the Congo and Burundi. The mission thanks the United Nations Development Programme and other United Nations agencies for the faultless logistical arrangements made on its behalf in Johannesburg, Harare, Kinshasa, Luanda, Kampala, Dar es Salaam, Bujumbura and Kigali, and Cairo, and thanks the Secretariat staff who accompanied it for their unfailing support.